

FILED

2014 APR 18 PM 2 00

NOTICE OF COMMISSIONER'S SALE

BRENDA DESHIELDS

CLERK & RECORDER

BENTON COUNTY, AR

NOTICE IS HEREBY GIVEN, that in pursuance of the authority and Judgment and Decree of Foreclosure made and entered on the 10th day of March, 2014, in a certain cause of the Circuit Court of Benton County, Arkansas (Case No. CV-2013-1790-6), then pending therein between First National Bank of Rogers, a Division of First National Bank of Fort Smith, Plaintiff, and Bobby J. Moses, Defendant, the undersigned, as Commissioner of said Court, will offer for sale at public venue to the highest bidder, at the front door of the Benton County Courthouse in Bentonville, Arkansas, within the hours prescribed by law for judicial sales, on the 12th day of May, 2014, at 9:45 a.m., the following-described real estate (the "Property"), to-wit:

A part of the Fractional SW1/4 of Section 31, Township 19 North, Range 30 West of the Fifth Principal Meridian, Benton County, Arkansas, more particularly described as follows: Commencing at the SW corner of said fractional SW1/4, being a found iron pin in a County Road as shown on Plat N at Page 196; thence South 89°43'53" East 130.00 feet to an iron pin for the Point of Beginning; thence North 00°00' West 180.00 feet to an iron pin; thence South 89°43'53" East 163.50 feet to an iron pin; thence South 00°00' East 180.00 feet to an iron pin; thence North 89°43'53" West 163.50 feet to the Point of Beginning. Subject to the right of way of a County Road on the South side thereof.

And part of the fractional SW1/4 of Section 31, Township 19 North, Range 30 West of the Fifth Principal Meridian, Benton County, Arkansas, more particularly described as follows: Commencing at the SW Corner of said fractional SW1/4, being a found iron pin in a County Road as shown on Plat Record N at Page 196; thence South 89°43'53" East 293.50 feet to an iron pin for the Point of Beginning; thence North 00°00' West 180.00 feet to an iron pin; thence North 89°43'53" West 293.50 feet to an iron pin; thence North 00°00' West 656.57 feet to an iron pin; thence South 89°43'53" East 323.50 feet to an iron pin; thence South 00°00' East 836.57 feet to a found iron pin; thence North 89°43'53" West 30.00 feet to the Point of Beginning. Subject to the right of way of a County Road on the South Side thereof.

TERMS OF SALE: The purchaser will pay the full purchase price the day of the sale or pay 10% of the purchase price, non-refundable, with the balance due to the Commissioner, plus 10% interest *per annum* from date of sale until paid thereon, within three (3) months from the date of sale. Prior to commencement of bidding, any individual who shall desire to bid on the Property shall inform the Commissioner that he/she will pay the full purchase price of the Property in cash or shall present a letter of credit or a bond as required by law to the Commissioner and shall receive pre-approval by the Commissioner to secure the payment of the remainder of the purchase price within ninety (90) days. The Commissioner shall retain a lien on the Property until the balance is paid in full. First National shall be allowed to credit bid against its Judgment.

NOTE: The sale held on April 14, 2014 has been set aside and vacated by the Court by Order dated April 15, 2014.

Given under my hand this 18th day of April, 2014.

/s/ Brenda DeShields
Commissioner

ATTORNEY FOR FIRST NATIONAL BANK OF ROGERS:

Tony Juneau (2004160)
MITCHELL, WILLIAMS, SELIG,
GATES & WOODYARD, P.L.L.C.
5414 Pinnacle Point Drive, Suite 500
Rogers, Arkansas 72758
(479) 464-5650
3168979.1